

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VINCENT JAMES BIAGAS,
Plaintiff,

No. C 08-04460 SBA (PR)

ORDER OF TRANSFER

v.

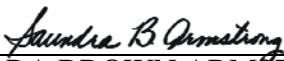
JAMES WALKER, et al.,
Defendants.

Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983 and an application for in forma pauperis status. The acts complained of occurred at California State Prison - Sacramento, which is located in the Eastern District of California, and it appears that the Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith. Plaintiff's application for in forma pauperis is TERMINATED as moot.

IT IS SO ORDERED.

DATED: 10/30/08


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 VINCENT JAMES BIAGAS,

5 Plaintiff,

6 v.

7 WALKER et al,

8 Defendant.

Case Number: CV08-04460 SBA

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on November 3, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Vincent James Biagas D-66188
16 CSP-Sacramento
17 CA State Prison-Folsom(New)
18 P O Box 290066
19 Represa, CA 95671

20 Dated: November 3, 2008

21 Richard W. Wieking, Clerk
22 By: LISA R CLARK, Deputy Clerk
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